

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 1:03-CR-112

v.

HON. DAVID W. McKEAGUE*

DOUGLAS EMMANUEL CAREY, III,

Defendant.

ORDER APPROVING MAGISTRATE'S REPORT AND RECOMMENDATION

This is a proceeding brought by a federal prisoner to vacate, set aside, or correct his sentence pursuant to 28 U.S.C. § 2255. The magistrate judge issued a Report and Recommendation in this case, recommending that defendant's motion be denied. The Court has reviewed the Report and Recommendation filed by the magistrate judge in this action. The Report and Recommendation was duly served on the parties and no objections have been filed. The Court finds the Report and Recommendation to be well-reasoned and in accord with the applicable law. Now therefore,

IT IS HEREBY ORDERED that the Report and Recommendation of the magistrate judge is **APPROVED** and **ADOPTED** as the opinion of the Court, pursuant to 28 U.S.C. § 636(b)(1) and W.D. Mich. L. Civ. R. 72.

IS FURTHER ORDERED that defendant's motion to vacate, set aside or correct sentence under 28 U.S.C. § 2255 is hereby **DENIED**.

Dated: June 20, 2005

/s/ David W. McKeague
DAVID W. McKEAGUE
UNITED STATES CIRCUIT JUDGE

* The Honorable David W. McKeague, United States Circuit Judge for the Sixth Circuit Court of Appeals, sitting by designation.